

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

APPLETON PAPERS INC. and NCR CORP.,

Plaintiffs,

v.

Case No. 08-C-16

GEORGE A. WHITING PAPER CO., et al.,

Defendants.

ORDER

Plaintiffs have filed a Rule 7.4 motion asking that certain of their proposed findings of fact be “deemed admitted” due to certain defendants’ boilerplate responses to the proposed findings. To the extent Plaintiffs are correct in their portrayal of the defendants’ responses, that is a matter whose effect will be determined in the context of the summary judgment proceedings. It is not, in other words, to be the subject of a further round of motion practice (i.e., a motion to rule on a matter subject to another motion). Accordingly, the motion to deem certain proposed findings of fact admitted is **DENIED**. The proposed findings and their responses will be considered in my ruling on summary judgment.

SO ORDERED this 28th day of October, 2009.

s/ William C. Griesbach
William C. Griesbach
United States District Judge